



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> February 19, 2016 <b>LOCAL EFFECTIVE DATE</b> March 5, 2016 <b>APPROX FINAL EFFECTIVE DATE</b> March 30, 2016	<b>CONTACT/PHONE</b> Brandi Cummings (805) 781-1006 bcummings@co.slo.ca.us	<b>APPLICANT</b> Alan and Phyllis Schoonbeck	<b>FILE NO.</b> DRC2015-00059
<b>SUBJECT</b> A request by <b>ALAN AND PHYLLIS SCHOONBECK</b> for a Minor Use Permit/Coastal Development Permit (DRC2015-00059) to allow the construction of a 354 square-foot recreation room addition to an existing single-family residence. The proposed project is within the Residential Single Family land use category and is located at 239 Vista Court, approximately 400 feet south of the Pecho Valley Road and Montana Way intersection, in the community of Los Osos. The site is located in the Estero planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2015-00059 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 1 Categorical Exemption was issued on December 23, 2015 (ED15-145).			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Local Coastal Plan, Coastal Appealable Zone, Archaeologically Sensitive Area	<b>ASSESSOR PARCEL NUMBER</b> 074-042-054	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Local Coastal Program, Height Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion.</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Coastal Appealable Zone, Local Coastal Program Area, Setbacks, Drainage, Archaeologically Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion.</i>			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family /residences <i>East:</i> Residential Single Family/ residences <i>South:</i> Residential Single Family/ vacant <i>West:</i> Residential Single Family/ residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cal Fire, Los Osos Community Services District, Los Osos Community Advisory Council, and the California Coastal Commission.	
TOPOGRAPHY: Gently sloping	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Golden State Water Company Sewage Disposal: Individual on-site septic Fire Protection: Cal Fire	ACCEPTANCE DATE: December 16, 2015

## DISCUSSION

The existing residence was constructed in 1974. The applicant is proposing to expand the residence by adding a 354 square-foot recreation room to the western side.

## LOS OSOS URBAN AREA STANDARDS

### Residential Single Family

Height Limitations. Maximum height shall be 28 feet except where other applicable planning area standards establish other specific height limits.

*Staff comments: The existing residence is 14'6" and the proposed addition will be 13'6", therefore the proposed project complies with this standard.*

## COASTAL ZONE LAND USE ORDINANCE STANDARDS

### Section 23.01.043 – Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the project is proposed development between the ocean and first public road.

### Section 23.07.120 – Local Coastal Program Area (LCP)

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

### Section 23.04.100 – Setbacks

The required front setback is 25 feet. The required side setbacks are 10 percent of the lot width, up to a maximum of five feet. The required rear setback is 10 feet.

*Staff comments: The width of the parcel is 47.92 feet. The proposed addition is setback 47 feet from the front property line, 5 feet from the left-side property line, and 33 feet from the rear property line. Therefore, the proposed project complies with this standard.*

### **Section 23.05.040 – Drainage**

A drainage plan is required to be submitted to the County Engineer for review and approval.

*Staff comments: The proposed project is conditioned to provide a drainage plan at time of construction permit application.*

### **Section 23.07.104 – Archaeologically Sensitive Area**

This standard is intended to protect and preserve archaeological resources within areas of the coastal zone identified as archaeologically sensitive. In the event archeological resources are unearthed or discovered during any construction activities, all work shall stop and not commence until a mitigation plan is completed and implemented.

*Staff comments: The proposed project is a minor addition (354 square-feet) in a previously disturbed area of the site previously used for a storage shed. The project is conditioned to cease construction in the event archaeological resources are discovered during ground disturbing activities.*

## **COASTAL PLAN POLICIES**

Following is a brief list of the Coastal Plan Policies (discussion of specific applicable policies following):

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: N/A

Agriculture: N/A

Public Works: ☒

Policy No(s): 1

Coastal Watersheds: ☒

Policy No(s): 8, 9, 10 and 11

Visual and Scenic Resources: N/A

Hazards: N/A

Archeology: ☒

Policy No(s): 6

Air Quality: N/A

### **Public Works**

Policy 1: Availability of Service Capacity. New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable.

The applicant shall assume responsibility in accordance with county ordinances or the rules and regulations of the applicable service district or other providers of services for costs of service extensions or improvements that are required as a result of the project.

*Staff comments: The project is within the Los Osos Valley Groundwater Basin. The Board of Supervisors certified a Level of Severity III for the Basin on March 27, 2007. The proposed project is an addition to an existing residence that does not include plumbing fixtures and will not increase the occupancy of the residence, and therefore will not impact the Los Osos water basin.*

## **Coastal Watersheds**

Policy 8: Timing of Construction and Grading. Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period.

*Staff comment: The proposed project is consistent with this policy because it is conditioned to require an erosion and sedimentation control plan when grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation.

*Staff comment: The proposed project is consistent with this policy because the applicant is conditioned to apply Best Management Practices in the selection and implementation of site maintenance.*

Policy 10: Drainage Provisions. Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses.

*Staff comment: The proposed project is conditioned to comply with this policy by meeting all drainage plan and erosion control measures required the San Luis Obispo County Public Works department.*

Policy 11: Preserving Groundwater Recharge. In suitable recharge areas, site design and layout shall retain runoff on-site to the extent feasible to maximize groundwater recharge and to maintain in-stream flows and riparian habitats.

*Staff comment: The proposed project is consistent with this policy because site grading has been designed to retain groundwater on-site to the extent feasible.*

## **Archaeology**

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. Where substantial archaeological resources are discovered during construction of new development, all activities shall cease until a qualified archaeologist knowledgeable in the Chumash culture can determine the significance of the resource and submit alternative mitigation measures.

*Staff comments: The proposed project is conditioned to comply with this standard.*

## COMMUNITY ADVISORY GROUP COMMENTS

The project was referred to the Los Osos Community Advisory Council (LOCAC). LOCAC reviewed the project at the December 3, 2015 meeting and unanimously recommended approval.

## AGENCY REVIEW

Public Works – Per attached referral response (Marshall, November 23, 2015), a drainage, erosion, and sedimentation control plan is required at the time of application for construction permits.

Building Department – Per attached referral response (Stoker, November 24, 2015), project is required to comply with all applicable building codes.

Cal Fire – Per attached referral response (Bullard, November 24, 2015), based upon the rather minor size/scope of the proposed project, no significant concerns relative to fire/life safety.

Los Osos Community Service District – Per attached referral response (Fallkner, November 30, 2015), no comment on this project.

California Coastal Commission – No response.

## LEGAL LOT STATUS

The one existing parcel is Lot 54 of Tract 417 – Vista de Oro – according to map recorded July 13, 1971 in Book 8, Page 3 of Maps.

Staff report prepared by Brandi Cummings and reviewed by Karen Nall.